

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(C) No. 1996 of 2021**

Shrimati Shakun Singh, D/o. Ram Singh, W/o. Umesh Singh, Aged About 58 Years, R/o. Mahmad Road, Lal Khadan, Police- Station Tarbahar, Tehsil And District Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Panchayat And Rural Development, Mantralya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. Chief Engineer/ Chief Executive Officer, Chhattisgarh Rural Development Agency, Pradhan Mantri Gram Sadak Yojna, Civil Lines, Raipur District Raipur, Chhattisgarh
3. Executive Engineer/ Member Secretary, Pradhan Mantri Gram Sadak Yojna, Mungeli Naka, Bilaspur District Bilaspur, Chhattisgarh
4. Collector, Bilaspur, District Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner : Shri Mahendra Dubey, Advocate

For State : Shri Siddharth Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

08.06.2021

Heard.

1. Grievance of the petitioner is that on the land of the petitioner bearing Khasra No.213/1 situated at Lalkhadan, Gram Panchayat Mahmad, Tahsil & District Bilaspur, the respondent State has constructed a road under the Pradhan Mantri Gram Sadak Yojana whereby the land of the petitioner was used without being lawful acquisition of the same.
2. Learned counsel for the petitioner would submit that the report of the Tahsildar dated 22.07.2020 (Annexure P-4) would show that out of the land Khasra No.213/1, 0.04 acres have been acquired by the PWD for construction of the road, however, till date the compensation has not been given to the petitioner. He would further submit under the circumstances the

petitioner has filed a representation to decide the claim of petitioner way back on 23.01.2020, however, after that the pandemic since intervened nothing had transpired. Therefore, the respondents State may be directed to look into the matter and decide the representation and grant compensation to the petitioner.

3. Learned State counsel submits that the representation would be decided in accordance with law.
4. Perusal of the document prima facie it reflects from the report of the Tahsildar that out of the land 213/1, 0.04 acres have been enveloped into the road, which the petitioner claims to be the owner. The petitioner under the facts and circumstances filed an application that since her land has been acquired for construction of road, the same may be demarcated and compensation be awarded in accordance with law.
5. The document shows that already the representation Annexure P-3 is pending with the State. Since considerable time has passed, the petitioner is given liberty to make a fresh representation within a period of two weeks and if such representation is filed, the same would be decided within a further period of three weeks.
6. The petitioner shall be at liberty to attach the necessary documents which are part of this petition alongwith the representation. After the enquiry, if it is found that the land of the petitioner is acquired for the purpose of road then in such case the compensation be awarded in accordance with law after the necessary proceedings are drawn, which should be concluded within a further period of six months and the compensation be awarded in such case to the petitioner within a period of two months.
7. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge